

Serial No. 10/542,105  
Atty Dkt No. 28955.4030

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### REMARKS

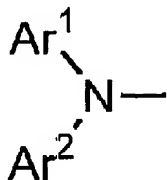
Claims 1-15, as amended, remain herein. Claims 1 and 8 are amended. Support for the amendments may be found throughout the specification (see, e.g., compounds (H1) to (H11) and (H13) to (H22) at pages 26-29 of the specification).

1. Claims 1-6 and 8-15 were rejected under 35 U.S.C. § 102(e) over Senoo et al. U.S. Patent 6,517,957.

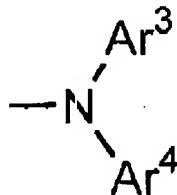
Claims 1 and 8 recite an aromatic diamine derivative represented by general formula (1):



wherein A represents a diarylamino group represented by:



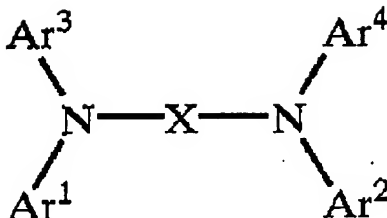
B represents a diarylamino group represented by:



and Ar<sup>1</sup> to Ar<sup>4</sup> each independently represents a substituted or unsubstituted aryl group having 5 to 50 nuclear atoms, with the proviso that more than two of Ar<sup>1</sup> to Ar<sup>4</sup> are not substituted or unsubstituted fluorenyl groups.

Senoo does not disclose applicant's claimed formula (1). Senoo discloses the following formula (1):

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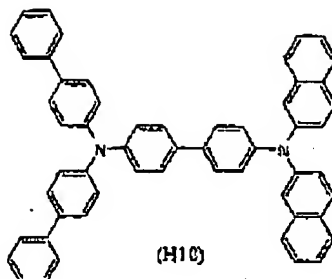
wherein at least two of Ar<sup>1</sup> to Ar<sup>4</sup> are a substituted or unsubstituted fluorenyl group (see Senoo at Abstract and column 2, line 66 to column 3, line 12). Thus, Senoo does not satisfy applicant's claimed proviso requiring that more than two of Ar<sup>1</sup> to Ar<sup>4</sup> are not substituted or unsubstituted fluorenyl groups.

Thus, Senoo does not disclose all elements of applicant's claims and, therefore, it is not an adequate basis for a rejection under § 102(e). Applicant respectfully request reconsideration and withdrawal of this rejection.

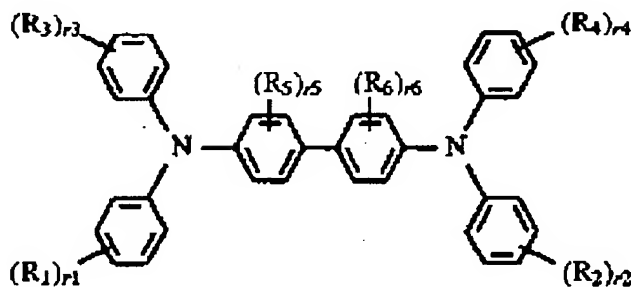
2. Claim 7 was rejected under 35 U.S.C. § 102(b) over Nakaya et al. U.S. Patent 5,792,557. The Office Action states that applicant's claimed compound (H10) reads on Nakaya's formula (1) when r1 and r3 are 1, r5 and r6 are 0, R<sub>1</sub> and R<sub>3</sub> are phenyl, and R<sub>2</sub> and R<sub>4</sub> form fused rings with the phenyl ring.

Applicant's compound (H10) has the following structural formula:

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Nakaya does not disclose compound (H10). Nakaya's formula (1) is the following:



Contrary to the assertion in the Office Action Nakaya does not disclose that  $R_2$  and  $R_4$  groups can form fused rings with the phenyl groups. Nakaya states that  $R_2$  and  $R_4$  may be fused rings, i.e. condensed polycyclic rings, not that they can form fused rings with the phenyl groups (see Nakaya at column 13, lines 23-25).

In addition, as further evidence that  $R_2$  and  $R_4$  do not form fused rings with the phenyl groups, Nakaya distinguished compounds having fused aromatic rings directly attached to the nitrogen atom of the tertiary amine (see Nakaya at column 2, lines 46-49).

Furthermore, when a compound is not specifically named, but instead it is necessary to select portions of teachings within a reference and combine them, e.g., select various substituents from a list of alternatives given for placement at specific sites on a generic chemical formula to

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arrive at a specific composition, anticipation can only be found if the classes of substituents are sufficiently limited or well delineated. Ex parte A, 17 USPQ2d 1716 (BPAI 1990); MPEP 2131.02. The species is anticipated only if one of ordinary skill in the art is able to "at once envisage" the specific compound within the generic chemical formula. See In re Petering, 301 F.2d 676 (CCPA 1962); MPEP 2131.02. Furthermore, one may look to the preferred embodiments to determine which compounds can be anticipated. Id.

None of Nakaya's disclosed compounds shows compound (H10) or a compound having fused rings directly attached to the nitrogen atom of the tertiary amine. In addition, none of Nakaya's examples 1-30 discloses an aromatic amine having an asymmetric structure, as required in applicant's claims and compound (H10). As explained in applicant's specification an asymmetric structure is key to achieve suppressed crystallization and increase the yield in the production of organic EL devices (see specification at page 3, lines 12-23; see also Comparative Example 1 at page 63, line 26 to page 64, line 20).

Thus, Nakaya does not disclose all elements of applicant's claims and, therefore, it is not an adequate basis for a rejection under § 102(b). Applicant respectfully request reconsideration and withdrawal of this rejection.

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For all of the foregoing reasons, all claims 1-15 are now fully in condition for allowance, which is respectfully requested. The PTO is hereby authorized to charge or credit any necessary fees to Deposit Account No. 19-4293. Should the Examiner deem that any further amendments would be desirable in placing this application in even better condition for issue, she is invited to telephone applicant's undersigned representative.

Respectfully submitted,

Date: July 9, 2008

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By: Hortense G. Coleman

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